GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:157
ANSWERED ON:26.07.2017
Compulsory Registration of Marriage
Joshi Shri Pralhad Venkatesh;Radhakrishnan Shri T.

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Union Government plans to make registration of marriage compulsory and if so, details thereof and the reasons therefor;
(b) whether the Law Commission has given any recommendations in this regard and if so, the details thereof;
(c) whether the Law Commission has recommended for amendments in the Registration of Births and Deaths Act, 1969 for the purpose instead of amending marriage laws and if so, the details thereof;
(d) whether the Supreme Court of India had made registration of marriage compulsory through its judgement in 2006 and if so, the details thereof; and
(e) whether the Union Government also plans to link mandatorily such registration with Aadhar, if so, the details thereof and the reasons therefor along with the action taken by the Union/State Governments in this regard?

Answer

A N S W E R

MINISTER OF LAW AND JUSTICE AND
ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 157 DUE FOR ANSWER ON 26/07/2017.

(a) In order to provide evidentiary value in matrimonial and maintenance cases and prevent unnecessary harassment meted out to women, it has been decided to provide for compulsory registration of marriages.

(b) and (c) The 21st Law Commission of India in its 270th Report has, inter alia, recommended that the Registration of Births and Deaths Act, 1969 (18 of 1969) may be suitably amended to include registration of marriage within its scope so that the existing administrative machinery would also be able to carry out registration of marriages. The full Report of the Commission is accessible from the website http://lawcommissionofindia.nic.in/reports/Report270.pdf

(d) The Supreme Court vide its judgment dated the 14th February, 2006 in the case of Seema Vs. Ashwani Kumar reported in A.I.R. 2006 SC 1158 had, inter alia, directed that marriages of all persons who are citizens of India belonging to various religions should be made compulsorily registerable in their respective States, where the marriages are solemnized.

(e) At present, there is no proposal to link Aadhar for registration of marriages.